

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

**THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,
as representative of**

**THE COMMONWEALTH OF PUERTO RICO, et al.,
Debtors¹**

**PROMESA
TITLE III
Case No. 17-BK-3283 (LTS)**

MOTION TO WITHDRAW MOTION FILED AT ECF NO. 4443

**TO THE UNITED STATES DISTRICT COURT JUDGE
THE HONORABLE LAURA TAYLOR SWAIN:**

COMES NOW, Mr. Arcadio Bigio Romero, (Mr. Bigio), herein “Movant”, to withdraw the pleading filed by Movant at ECF No. 4443, and in support thereof respectfully states and prays:

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566- LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

1. Mr. Arcadio Bigio Romero filed a Motion to Request Payment of Administrative Expense Claim of Post-Petition Lease payments on December 11, 2018 at ECF No. 4443.
2. Mr. Bigio's claim stemmed from an unexpired non-residential lease regarding commercial realty located at 1994 Emiliano Poll Ave., Borinquen Gardens, Rio Piedras.
3. As of filing ECF No. 4443, the Commonwealth of Puerto Rico, through the Puerto Rico State Election Commission, (CEE) for its acronym in the Spanish language, operated a Permanent Registration Board for the San Juan 5 and 5A areas at the leased location, for a post-petition period of eighteen months(18) from June 2017 to December 2018, for an accrued total of unpaid monthly post-petition lease payments totaling \$62,662.00. In his Motion, Bigio claimed these amounts as an administrative expense priority under sections 365 (d)(3) and 507(a) (2) of the Bankruptcy Code as applicable to Title III proceedings under section 301 of PROMESA.
4. After weeks of negotiations and numerous extensions, Mr. Bigio and the CEE executed a Confidential Settlement Agreement, in light of which, the Motion filed by Mr. Bigio at ECF No. 4443 in the Commonwealth Title III proceeding is hereby withdrawn with prejudice.

WHEREFORE, Mr. Arcadio Bigio Romero, respectfully prays for the Honorable Court to grant this request by entering an Order allowing the withdrawal with prejudice of the Motion filed at ECF No. 4443 in the Commonwealth Title III proceeding.

NOTICE OF SERVICE

Notice of this Motion shall be served via the CM/ECF system as allowed in Section II.I, and as described in Section II.D, to counsel for the Oversight Board; the Puerto Rico Fiscal Agency and Financial Advisory Authority; the US Trustee and all registered CM/ECF participants in the Commonwealth Title III proceeding.

RESPECTFULLY SUBMITTED.

In Guaynabo, Puerto Rico, on April 15, 2019.

/S/ M^a Mercedes Figueroa y Morgade
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